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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

TO BE FILED UNDER SEAL

- against -

EDWARD VALENTIN,

Defendant.

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF
APPLICATION FOR
ARREST WARRANT

(18 U.S.C. § 287)

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EASTERN DISTRICT OF NEW YORK, SS:

ELLIOT MCGINNIS, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about November 15, 2012, within the Eastern District of New York, the defendant EDWARD VALENTIN made and presented to the Federal Emergency Management Agency ("FEMA"), an agency of the United States, a claim against the United States for payment, which he knew to be false, fictitious and fraudulent.

(Title 18, United States Code, Section 287)

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the FBI, based at the New York Field Office. I have been a Special Agent with the FBI for approximately three years. In the course of my duties, I have been involved in the investigation and prosecution of numerous cases involving false statements made in support of fraudulent claims presented to agencies of the United States government. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; and from reports of other law enforcement officers involved in the investigation.

2. FEMA, an agency of the United States Department of Homeland Security, administers relief under the legal authority of Title 44 of the Code of Federal Regulations. Disaster assistance is made available after the President of the United States declares that a major disaster has occurred in a specified area.

3. Assistance to individuals is available under the Individual and Household Assistance Program ("IHP"), which provides grants, funded by the United States Government, to people in the disaster area when losses are not covered by insurance and property has been damaged or destroyed. IHP requires that the disaster assistance applicant was unable to live in his or her primary residence due to disaster-related conditions.

4. To receive assistance under IHP, the applicant must register with FEMA and provide FEMA personnel basic information, such as identifying personal data and the

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

location of the damaged dwelling. The applicant is asked to verify that the damaged dwelling was, in fact, his or her primary residence, as well as provide information concerning the household composition.

5. On October 30, 2012, the President of the United States Barack Obama issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121 et seq., following landfall of Hurricane Sandy on the State of New York. The disaster was identified by FEMA as disaster number 4085-Hurricane Sandy.

6. On October 31, 2012 and November 15, 2012, a FEMA Form 009-0-1 Application/Registration for Disaster Assistance was filed in the name of EDWARD VALENTIN. The damaged property address was identified as a house-single/duplex at a particular address known to law enforcement located at Hudson Street, East Rockaway, New York (the "Hudson Street residence"). The Hudson Street residence was described as an owned property and VALENTIN's primary residence. The application listed VALENTIN as the sole occupant of the Hudson Street residence. VALENTIN's current mailing address, however, was identified as an address known to law enforcement located at Valley Stream Boulevard, Valley Stream, New York (the "Valley Stream residence").

7. Based on this application, FEMA disbursed to VALENTIN \$3,166.00 on November 8, 2012 and \$15,409.72 on November 19, 2012. This money was deposited into a Roslyn Savings Bank account held by VALENTIN. In total, FEMA disbursed \$18,575.72 to VALENTIN for home repairs and rental assistance.

8. On or about November 15, 2012, an individual known to law enforcement (the "Tenant") filed a complaint using the Disaster Fraud Hotline. The Tenant stated, in sum and substance and relevant part, that the Tenant lives at the Hudson Street residence and that the Tenant's belongings were significantly damaged by Hurricane Sandy. The Tenant stated that VALENTIN informed the Tenant that he (VALENTIN) was going to file a claim for payment with FEMA and falsely represent that VALENTIN lived at the Hudson Street residence with the Tenant. The Tenant further stated that VALENTIN suggested to the Tenant that the Tenant "work with him" so as to receive money for repairs. The Tenant stated that VALENTIN does not live at the Hudson Street residence.

9. To verify the occupancy of the Hudson Street residence, law enforcement agents contacted the Tenant. The Tenant provided law enforcement agents with a copy of a lease agreement between the Tenant and VALENTIN for the Hudson Street residence. The lease agreement states that VALENTIN leased the Hudson Street residence to the Tenant for a term of one year that commenced on June 1, 2012 and ends on June 1, 2013. The lease agreement included a security deposit of \$1,500.


10. In a letter from VALENTIN to the Tenant dated November 7, 2012, VALENTIN referenced the Hudson Street residence and stated, "Tenant is responsible for the removal of her furniture and to leave the property in an orderly manner. The same way she received it Please note that the security deposit was \$1,500."

11. VALENTIN wrote a check to the Tenant on or about November 12, 2012, approximately three days before he submitted his FEMA Application/Registration for Disaster Assistance form. The check listed his residence as the Valley Stream residence.

12. To verify the occupancy of the Hudson Street residence, law enforcement agents also contacted two individuals living in the vicinity of the Hudson Street residence (collectively, the "Neighbors"). The Neighbors confirmed, in sum and substance and relevant part, that in October and November of 2012, the Tenant was the sole resident of the Hudson Street residence.

13. VALENTIN has a New York State driver's license in his name that was issued on or about April 1, 2010 and expires on April 11, 2018. The driver's license lists his address as the Valley Stream residence.

WHEREFORE, your deponent respectfully requests that the defendant EDWARD VALENTIN be dealt with according to law.


ELLIOT MCGINNIS
Special Agent
Federal Bureau of Investigation

Sworn to before me on
the 17th day of January, 2014


THE HONORABLE JAMES ORENSTEIN
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK